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September 6, 2024

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Washington, DC 20528

The Honorable Julie Su
Secretary of Labor
Washington, DC 20001

Dear Secretaries Mayorkas and Su:

On behalf of the landscape industry and our members across the country, we urge you to promptly make available 64,716 supplemental H-2B visas for fiscal 2025, as you did for fiscal years 2023 and 2024. With demand for the program exceeding 200,000 in both 2023 and 2024 demonstrated by Department of Labor process certificates the additional visas are absolutely justified and necessary to support seasonal businesses like the landscape industry that are mired in a work force crisis.

These visas will provide our members with the ability to better handle their labor challenges, as they will have additional certainty regarding their workforce planning decisions in the coming months. Depending on geography and business needs, some landscape companies need H-2B workers during the first half of the fiscal year, while others do not need temporary workers until April 1. Publishing a temporary rule now implementing the release of these supplemental visas for all of fiscal 2025 will provide program users with a predictable, fair process for applying for supplemental visas, regardless of their season or peak-load needs.

We would also like to express support for the Administration's efforts to increase access to H-2B visas for foreign nationals from the Northern Triangle countries and Haiti. We will continue to work with these foreign governments to help diminish the irregular migration from these countries by helping to streamline the application process for foreign workers from these countries.

We are grateful that the Administration's past actions recognize the dire shortage of seasonal labor in the U.S. Many employers turn to the H-2B program to meet their workforce needs to not only sustain their businesses, but also to support their American workers. Every H-2B worker supports 4.64 U.S. jobs.¹ Furthermore, a 2020 General Accountability Office report concluded that "counties with H-2B employers generally had lower unemployment rates and higher average weekly wages than counties that do not have any H-2B employers."² The H-2B program places

¹ Zavodny, Madeline. *Immigration and American Jobs*. American Enterprise Institute, 15 Dec. 2011, www.aei.org/research-products/working-paper/immigration-and-american-jobs/seek.

² United States, Congress, "H-2B VISAS: Additional Steps Needed to Meet Employers' Hiring Needs and Protect U.S. Workers." *H-2B VISAS: Additional Steps Needed to Meet Employers' Hiring Needs and Protect U.S. Workers*, GAO-20-230, U.S. Government Accountability Office, 2020, pp. 13–14.

many requirements on employers to recruit U.S. workers, and our members try to find as many U.S. workers as they can. In these unprecedented times, there are simply not enough workers to meet the seasonal workforce needs of U.S. employers. The most current employment data illustrate the workforce struggles of seasonal businesses nationwide. The Bureau Labor Statistics reported that during July 2024 the unemployment rate was 4.3% and average annual hourly wages increased by \$.08.³

Again, thank you for acknowledging the seasonal labor crisis and unprecedented demand that led to the Administration's release of 64,719 H-2B supplemental visas for FY24. We encourage you to promptly promulgate a temporary final rule for FY 2025 similar to the rule that was issued for FY 2024.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Bray', with a stylized flourish at the end.

Andrew Bray
Senior Vice President Government Relations & Membership
National Association of Landscape Professionals

³ U.S. Bureau of Labor Statistics, U.S. Bureau of Labor Statistics, 29 Aug. 2024, www.bls.gov/.



U.S. Citizenship
and Immigration
Services

October 17, 2024

Andrew Bray
Senior Vice President, Government Relations and Membership
National Association of Landscape Professionals
andrew@landscapeprofessionals.org

Dear Mr. Bray:

Thank you for your September 6, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

In your letter, you emphasized the importance of the H-2B Temporary Nonagricultural Worker Program for seasonal businesses, including your organization's members in the landscaping industry. Your letter urges DHS, in consultation with the U.S. Department of Labor (DOL), to make 64,716 additional visas available for Fiscal Year (FY) 2025, as done in FYs 2023 and 2024.

DHS appreciates the concerns you raised regarding the challenges faced by small and seasonal businesses who rely on the H-2B program to sustain their businesses and support American workers. Congress recently provided statutory authority for supplemental H-2B visas for FY 2025 in the *Continuing Appropriations and Extensions Act, 2025* (Public Law 118-83). DHS is consulting with the DOL to assess whether there is the need to make additional visas available and, if appropriate, will work expeditiously to exercise that authority.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please send an email to public.engagement@uscis.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director